



07-0601

# RCE/3643

PTO/SB/30 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/398,987
Filing Date	09/17/1999
First Named Inventor	Allen Dean Mammel
Group Art Unit	3643
Examiner Name	Rowan, K.
Attorney Docket Number	065123.0106

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

#### a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 06/04/01  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

#### b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.

(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.117(i) required)

b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ A Check in the amount of \$ 355.00 are enclosed. Applicant is a Small Entity.

RECEIVED

JUL 13 2001

TO 3600 MAIL ROOM

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail #EL740055275 US in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print / Type)	Heather Bergeron
Signature	Heather Bergeron
Date	07-05-01

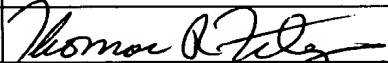
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

07/05/2001 00000070 09398987

355.00 0P

AUS01:248687.1

FEE CALCULATION SHEET						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA	RATE	ADDITIONAL FEE
Basic Rate						\$355.00
Total Claims	15	-	39	= 0	x \$9 =	
Independent Claims	5	-	6	= 0	x \$40 =	
Total Fees						
Less 50% for Small Entity						
<b>TOTAL ADDITIONAL FEE FOR THIS RCE</b>						<b>\$355.00</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print / Type)	Thomas R. Felger	Registration No. (Attorney/Agent)	28,842
Signature		Date	5 JULY 2001

**RECEIVED**

**JUL 13 2001**

**TO 3600 MAIL ROOM**